

NGRI Revocation of Conditional Release

§19.2-182.8

Model Court Order

Virginia:

In the General District/ Circuit Court of _____

Commonwealth of Virginia

VS.

Case No: _____

**NOT GUILTY BY REASON OF INSANITY -
REVOCATION OF CONDITIONAL RELEASE**

The Acquittee having been previously found not guilty by reason of insanity on _____ for charges of _____, _____, & _____ and later placed on conditional release, pursuant to Virginia Code Section 19.2-182.7, and this Court having held a hearing pursuant to Virginia Code Section 19.2-182.8 after receipt of an evaluation by _____ addressing factors pertaining to whether the Acquittee's conditional release should be revoked, hereby

ORDERS AND ADJUDGES that

1. This Court finds by a preponderance of the evidence that the Acquittee has violated the conditions of his release or is no longer a proper subject for conditional release based on application of the criteria for conditional release and requires inpatient hospitalization.

2. Pursuant to Virginia Code Section 19.2-182.8, the Acquittee's conditional release is revoked and the Acquittee shall be returned to the custody of the Commissioner of the Department of Behavioral Health and Developmental Services.

3. Within 60 days of resumption of custody, if in the opinion of hospital staff treating the Acquittee, the Acquittee's condition improves to the degree that the Acquittee is an appropriate candidate for conditional release, he may be, with the approval of this court, conditionally released as if revocation had not taken place.

4. If the Acquittee is not released, pursuant to Virginia Code Section 19.2-182.10, within 60 days of resumption of custody, then before the expiration of one year from the date of this order, the Commissioner shall, in accordance with Virginia Code Section 19.2-182.5, provide a report evaluating the Acquittee's condition and recommending treatment.

5. Copies of this order shall be sent to the Acquittee, Defense Attorney, Office of the Commonwealth Attorney, _____ Community Services Board, _____ (hospital), and the Commissioner of DBHDS.

6. This Court retains jurisdiction in this cause, and the Acquittee shall not be discharged or released from custody of the Commissioner without further Order of that Court.

Entered: _____
